

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:) CHAPTER 7 PROCEEDING
)
ENRIQUE MONTANO,) CASE NO. 20 B 14690
)
DEBTOR.) HON. JANET S. BAER
) (KANE)

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on **Friday, October 15, 2021, at 11:00 a.m.**, I will appear before the Honorable Janet S. Baer, or any judge sitting in that judge's place, and present the **Agreed Motion to Dismiss and Bar Debtor From Refiling**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **160 731 2971** and the password is **587656**. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

/s/ Jeffrey S. Snell

Jeffrey S. Snell, Trial Attorney
United States Department of Justice
Office of the United States Trustee
219 South Dearborn, Room 873
Chicago, Illinois 60604
Telephone: (312) 886-0890

CERTIFICATE OF SERVICE

I, Jeffrey S. Snell, an attorney, state that on September 28, 2021, I caused to be served copies of the **Notice of Motion and Agreed Motion to Dismiss and Bar Debtor From Refiling** on the ECF Registrants shown below *via* the Court's Electronic Notice for Registrants and *via* First Class US Mail by BMC Group on all other entities shown at the addresses listed below. A supplement to this Certificate of Service from BMC Group will be filed.

/s/ Jeffrey S. Snell

SERVICE LIST

Registrants Served Through the Court's Electronic Notice For Registrants:

- **Manuel A. Cardenas** manuelantonio_cardenas@yahoo.com, manuel@manuelcardenas.law
- **Gina B Krol** gkrol@cohenandkrol.com, gkrol@ecf.axiosfs.com;gkrol@cohenandkrol.com;acartwright@cohenandkrol.com;jneiman@cohenandkrol.com
- **Patrick S Layng** USTPRegion11.ES.ECF@usdoj.gov
- **Josephine J Miceli** Jo@johnsonblumberg.com
- **Jeffrey Snell** jeffrey.snell@usdoj.gov

Parties Served via First Class Mail:

20-14690|Aargon Agency Inc |Attn: Bankruptcy|8668 Spring Mountain Road|Las Vegas, NV 89117-4132| ||
20-14690|Allied Building Products Corp |c/o Kohner, Mann & Kailas|4650 North Port Washington|Milwaukee, WI 53212-1077| ||
20-14690|Arnold Harris |111 West Jackson Blvd|Chicago, IL 60604-4135| ||||
20-14690|Aurora Dental Care, Ltd. |P.O. Box 6174|Aurora, IL 60598-0174| ||||
20-14690|BMO Harris, N.A. |P.O. Box 2035|Milwaukee, WI 53201-2035| ||||
20-14690|Bank of America |P.O. Box 982238|El Paso, TX 79980-0001| ||||
20-14690|Chase Bank |2310 US-34|Oswego, IL 60543| ||||
20-14690|Collection Prof/lasalle |Attn: Bankruptcy|Po Box 416|La Salle, IL 61301-0416| ||
20-14690|Collection Professionals |c/o Robert B Steele|160 Marquette St.|La Salle, IL 61301-2413| ||
20-14690|Com Ed |P.O. Box 805379|Chicago, IL 60680-4179| ||||
20-14690|Commonwealth Edison Company |1919 Swift Drive|Oak Brook, IL 60523-1502| ||||
20-14690|Credit Collection Services |Attn: Bankruptcy|725 Canton St|Norwood, MA 02062-2679| ||
20-14690|Culligan of Bolingbrook |375 West South Frontage Rd. Suite B|Bolingbrook, IL 60440-4652| ||||

20-14690|David Scheele |147 Seton Creek Drive|Oswego, IL 60543-8306| |||
20-14690|Detective Bryan Cummins |Village of Oswego|3355 Wooley Road|Oswego, IL 60543-9157| |||
20-14690|FMS DMS PNR |PO Box 979113|Saint Louis, MO 63197-9001| |||
20-14690|Harris N.A. |P.O. Box 94034|Palatine, IL 60094-4034| |||
20-14690|Illinois Department of Financials |9511 Harrison St. Suite LL50|Des Plaines, IL 60016-1563| |||
20-14690|ILLINOIS DEPARTMENT OF REVENUE|BANKRUPTCY UNIT|PO BOX 19035|SPRINGFIELD IL 62794-9035|||preferred
20-14690|Internal Revenue Service |PO Box 7346|Philadelphia, PA 19101-7346| |||
20-14690|Jose Luis Jimenez |4631 Towle Avenue|Hammond, IN 46327-1535| |||
20-14690|Kelly Anthos |c/o Law Office of Thomas Duda|330 W. Colfax St.|Palatine, IL 60067-2538| |||
20-14690|Mark Green |229 Bennett Ct. S|Oswego, IL 60543-4069| |||
20-14690|New Calument City Currency Exchange |c/o Sorman & Frankel, Ltd|180 N LaSalle St, Suite 270|Chicago, IL 60601-2501| |||
20-14690|PHH Mortgage Services |One Mortgage Way|Mount Laurel, NJ 08054-4624| |||
20-14690|PioneerCredit Recovery Inc |26th Edward Street|Arcade, NY 14009| |||
20-14690|Randall Anthos |c/o Law Office of Thomas Duda|330 W Colfax Street|Palatine, IL 60067-2538| |||
20-14690|Richards Builders Supply |c/o Cannonito and Associates|12070 West 159th Street|Homer Glen, IL 60491-7850| |||
20-14690|Richards Building Supply Co |c/o Michael D. Weis|PO Box 1166|Northbrook, IL 60065-1166| |||
20-14690|Rush Copley |P.O. Box 352|Aurora, IL 60507-0352| |||
20-14690|Ryan Velasquez |405 Baker Court|Oswego, IL 60543-4057| |||
20-14690|Santander Consumer USA |Attn: Bankruptcy|10-64-38-Fd7 601 Penn St|Reading, PA 19601-3544| |||
20-14690|Select Portfolio Servicing, Inc. |P.O. Box 65250|Salt Lake City, UT 84165-0250| |||
20-14690|Southwest Credit Systems |4120 International Parkway|Suite 1100|Carrollton, TX 75007-1958| |||
20-14690|Sue Green |229 Bennett Ct. S|Oswego, IL 60543-4069| |||
20-14690|The Church of Israel |c/o Kelly Olson Michod Dehaan & Ric|333 West Wacker Drive Suite 2000|Chicago, IL 60606-1288| |||
20-14690|Tiffany Sherill |c/o Harris, Winick and Harris|333 West Wacker Drive Suite 2060|Chicago, IL 60606-1293| |||
20-14690|Tondalaia Bardel |c/o Morrisroe & Asscoiates|114 Bloomingdale Rd|Bloomingdale, IL 60108-1239| |||
20-14690|Verizon Wireless |Attn: Verizon Bankruptcy|500 Technology Dr, Ste 500|Weldon Springs, MO 63304-2225| |||
20-14690|Enrique Montano |640A Rance Rd|Oswego, IL 60543-9651|||
20-14690|Gina B Krol |Cohen & Krol|105 West Madison St Ste 1100|Chicago, IL 60602-4600|||
20-14690|Manuel A. Cardenas |Manuel A. Cardenas and Associates, P.C.|2059 North Western Avenue|Chicago, IL 60647-4167|||

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AGREED MOTION TO DISMISS AND BAR DEBTOR FROM REFILING

NOW COMES PATRICK S. LAYNG, the United States Trustee for the Northern District of Illinois, by his attorney, Jeffrey S. Snell, and respectfully requests that the Court enter an agreed order that will dismiss the above-captioned case with a one-year bar to refiling. In support of this request, the U.S. Trustee states as follows:

1. This is a core proceeding concerning the administration of this estate pursuant to 28 U.S.C. § 157(b)(2)(A) which this Court may hear and determine pursuant to Internal Operating Procedure 15(a) and Local Rule 40.3.1 of the United States District Court for the Northern District of Illinois.

2. During the course of this case, the U.S. Trustee has obtained records from the debtor and third-party financial institutions, and conducted a Rule 2004 examination of the Debtor. The U.S. Trustee and the Debtor have conferred, through counsel, and determined that dismissal with a one-year bar to refiling is an outcome that is acceptable to both parties.¹

3. The debtor, Enrique Montano, through his counsel, Monica Morariu and Manuel A. Cardenas of Manuel A. Cardenas & Associates P.C., has agreed to the proposed order submitted

¹ Before coming to an agreement with the Debtor, the U.S. Trustee spoke with the Chapter 7 Trustee. The U.S. Trustee does not believe that dismissal of the case will deprive creditors of any estate distribution that would otherwise be available. The one-year bar to refiling will allow state court litigation pending against the debtor to proceed for a period without a 6th bankruptcy petition being filed since 2015.

herewith.

WHEREFORE, the U.S. Trustee requests this Court shorten notice to that provided and enter the agreed order dismissing the case with a one-year bar to refiling, and afford any such other and further relief as this Court deems just.

RESPECTFULLY SUBMITTED:

PATRICK S. LAYNG
UNITED STATES TRUSTEE

DATED: September 28, 2021

By: /s/ Jeffrey S. Snell
Jeffrey S. Snell, Trial Attorney
United States Department of Justice
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Chicago, Illinois 60604
Telephone: (312) 886-0890
Email: Jeffrey.Snell@usdoj.gov